

REMARKS

Claims 1-85 are currently pending. Claims 1-8, 62-65, and 74-77 stand rejected, claims 9-11, 66-68, and 78-80 stand objected to, and claims 12-61, 69-73, and 81-85 are allowed. Applicant reserves the right to pursue original and other claims in this and any other application.

Claims 1, 3-5, 7-8, 62, 64-65, 74, and 76-77 stand rejected under 35 U.S.C. 102(e) as being anticipated by Burgan (U.S. Pat. No. 6,778,457) ("Burgan").

Burgan discloses "a variable refresh control circuit for controlling the refresh rate of a memory array using a capacitor for data storage." (Burgan, Abstract)

Claim 1 recites, *inter alia*, a memory refresh circuit comprising "a control circuit for conducting a memory refresh operation, for monitoring a memory device, and for indicating when said refresh operation is complete based on said monitoring of said memory device."

Burgan fails to suggest a "a control circuit ... for indicating when said refresh operation is complete based on said monitoring of said memory device." Contrary to the suggestion in the office action, neither Burgan's control circuit, nor one of the combination of circuits of Burgan, e.g., circuits 14, 16, 18, 12, 10 and 20, that allegedly is equivalent to the claimed control circuit, monitors the completion of a refresh of the memory device. To the contrary, Burgan's control circuit receives variable input ("a plurality of signals labeled 'PASS/FAIL 1' to 'PASS/FAIL 4'", Burgan, Col. 3, ln 14-15) which initiates a refresh operation. ("In response to the signals...monitor circuit 18 provides signal REFRESH REQUEST", Burgan, Col. 3, ln 15-

20). As such the invention of Burgan is different from the claimed invention and the rejection of claim 1 should be withdrawn.

Claims 3-4 depend, indirectly or directly, from claim 1 and incorporate all the limitations thereof and are allowable for at least the reason noted above with respect to claim 1.

Independent claims 5, 62, and 74 have similar limitations as claim 1 and are allowable for at least the same reasons noted above with respect to claim 1.

Claim 64-65 and 76-77 depend, indirectly or directly, from claims 62 and 74, respectfully, incorporate all the limitations thereof and are allowable for at least the reason noted above with respect to claims 62 and 74, respectively.

Claims 2, 6, 63, and 75 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Burgan in view of Jakobs (U.S. Pat. No. 6,909,657) ("Jakobs").

Jakobs discloses a "psuedostatic memory circuit [that] is selected by a memory selection signal." (Jakobs, Abstract)

Jakobs fails to overcome the deficiency suffered by Burgan with respect to claim 1 as noted above. Claim 2 depends from claim 1 and is allowable for at least the reason noted above with respect to claim 1.

Claims 6, 63, and 75 depend from claims 5, 62, and 74, respectfully, and are allowable for at least the reasons noted above.

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Claims 9-11, 66-68, and 78-80 stand objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully submits that the base claims are allowable, thus claims 9-11, 66-68, and 78-80 are allowable.

Applicant appreciates the indication of claims 12-61, 69-73, and 81-85 being allowed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 
Thomas J. D'Amico

Registration No.: 28,371
Michael A. Weinstein
Registration No.: 53,754
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
2101 L Street NW
Washington, DC 20037-1526
(202) 785-9700
Attorneys for Applicant